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**Fax Cover Sheet**

To: Examiner J. Restifo

From: John J Cheek  
Senior Intellectual Property Attorney *Official*

Company: US PTO - Art Unit 3619  
Fax: 001 703 872 9326

Tel: +44 (0) 1733 584346 Direct Dial  
Fax: +44 (0) 1733 583771 Direct Fax

Email: Cheek\_John\_J@cat.com **FAX RECEIVED**

Date: 16-Sep-02

No. of pages, including cover sheet: 23 **SEP 16 2002**

**GROUP 3600**

Paper No. 17

Petition Pursuant to 37 CFR 1.181 to Withdraw Holding of Abandonment

Application No.: 09/309,844

Filed: May 11, 1999

Docket No.: 96-753.1

Art Unit: 3619

Examiner: J. Restifo

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

William Pack

Application No. 09/309,844

Filed: May 11, 1999

For: MOUNTING ARRANGEMENT  
FOR A RADIATOR ASSEMBLY  
OF A WORK MACHINE

Attorney Docket No. 96-753.1

Art Unit: 3619

Examiner: J Restifo

Official

Peoria, Illinois 61629-6490  
September 16, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

FAX RECEIVED

SEP 16 2002

PETITION PURSUANT TO 37 CFR 1.181 TO  
WITHDRAW HOLDING OF ABANDONMENT

GROUP 3600

Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence was  
transmitted by facsimile to the U.S. Patent and  
Trademark Office, Facsimile No. (703) 872-9326,  
on September 16, 2002.

Name: JOHN CHEEK

Date: 16 September 2002

Signature: John Cheek

Applicant hereby petitions the Commission to withdraw the abandonment of this application as stated in the "Notice of Abandonment" (Paper No. 16) dated September 5, 2002. No fee is required for this petition.

Applicant received on September 11, 2002, the "Notice of Abandonment" (Paper No. 16) dated September 5, 2002. The Notice states the reason for abandonment as, "Applicant's failure to timely file a proper reply to the Office letter mailed on January 31, 2002." The Notice also states that "No reply was received." As explained below, applicant filed a proper and timely reply to the Office letter mailed on January 31, 2002.

On May 16, 2002, applicant submitted via facsimile a paper titled "Request for Extension of Time and Response to Office Action dated January 31, 2002". A copy of this paper is attached together with the fax cover sheet and a copy of the facsimile transmission report evidencing receipt by the Patent and Trademark Office. The paper was submitted via facsimile to (703) 872-9328, which is the fax number for Technology Center 3600 indicated on the Patent and Trademark Website at <http://www.uspto.gov/september11/faxnotice.htm>. A hard copy of the referenced web page is attached. The attaché facsimile transmission report provides sufficient evidence of the receipt of the attached papers by the Patent and Trademark Office.

In view of the timely submission of the attached paper as evidenced above, applicant respectfully requests entry of the attached paper as a timely reply to the Office letter mailed January 31, 2002, and accordingly requests that the holding of abandonment in this case be withdrawn. No fee is required for this petition.

Respectfully submitted,



John J. Cheek  
Registration No. 39,628  
Caterpillar Inc.

Telephone: 011 44 1733 58 4346 (England)  
Facsimil : 011 44 1733 58 3771 (England)

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

William Pack )

Application No. 09/309,844 )

Filed: May 11, 1999 )

For: MOUNTING ARRANGEMENT )  
FOR A RADIATOR ASSEMBLY )  
OF A WORK MACHINE )

Attorney Docket No. 96-753.1 )

Art Unit: 3619

Examiner: J Restifo

#191D  
Filed 9/10/02  
10-25-02  
SW

Peoria, Illinois 61629-6490  
May 16, 2002Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR EXTENSION OF TIME  
AND  
RESPONSE TO OFFICE ACTION DATED JANUARY 31, 2002

Sir.

CERTIFICATE OF FACSIMILE TRANSMISSION

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I hereby certify that this correspondence was  
transmitted by facsimile to the U.S. Patent and  
Trademark Office, Facsimile No. (703) 872-9326,  
on May 16, 2002.

Name: JOHN CHEEKDate: 16 May 2002Signature: John Cheek

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 110.00

## Complete if Known

Application Number	09/304,844
Filing Date	05/11/1999
First Named Inventor	Bill Pack
Examiner Name	J Restifo
Group Art Unit	3819
Attorney Docket No.	96-753.1

## METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

 Deposit  
Account  
Number  
  
 Deposit  
Account  
Name

03-1129

Caterpillar Inc.

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Fee Code	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
188	900	188	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110.00

## SUBMITTED BY

Name (Print/Type) John J. Cheek

Registration No. 39,628

## Complete (if applicable)

Telephone +44 1733 58 4346

Signature

John Cheek

Date 05/16/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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To our Patent Customers:

In view of delays in mail delivery in recent days, we at the USPTO would like to encourage you to communicate with the USPTO via facsimile. Facsimile transmissions may be used for correspondence as set forth in 37 CFR 1.6 such as: amendments, petitions for extension of time, authorization to charge a deposit account, an IDS, terminal disclaimers, a notice of appeal, an appeal brief, CPAs under 37 CFR 1.53(d), and RCEs.

PTO Form 2038 should be used when authorizing payment by credit card; this form is maintained separate from the file to ensure confidentiality.

The USPTO has recently installed server software that enables us to automatically receive facsimile transmissions and route them to the appropriate groups. No special equipment is needed by our customers to use this system other than a regular facsimile machine. Each Technology Center has its own facsimile numbers associated with our server for Official replies to non-final Office actions and for Official replies to final Office actions. In addition, each Technology Center has a Customer Service Center on our server system and can answer any general application status questions you might have, can provide Examiner information and answer paper queries

The following is a list of all Official Facsimile Numbers for the Technology Centers:

<b>TC1600:</b>  Before Final: 703-872-9306 After Final: 703-872-9307 Customer Service: 703-872-9305	<b>TC2800:</b>  Before Final: 703-872-9318 After Final: 703-872-9319 Customer Service: 703-872-9317
<b>TC1700:</b>  Before Final: 703-872-9310 After Final: 703-872-9311 Customer Service: 703-872-9309	<b>TC2900:</b>  Before Final: 703-872-9322 After Final: 703-872-9323 Customer Service: 703-872-9321
<b>TC2100:</b>  Before Final: 703-746-7239 After Final: 703-746-7238 Customer Service: 703-746-7240	<b>TC3600:</b>  Before Final: 703-872-9326 After Final: 703-872-9327 Customer Service: 703-872-9325
<b>TC2600:</b>  Before Final: 703-872-9314 After Final: 703-872-9315 Customer Service: 703-872-9313	<b>TC3700:</b>  Before Final: 703-872-9302 After Final: 703-872-9303 Customer Service: 703-872-9301

By using the Official Before Final and After Final numbers, our server system will automatically generate a return receipt that will include the number of pages received as well as the date and time the facsimile was received. Additionally, the return receipt will include an image of the received cover page. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (see 37 CFR 1.6 and 1.8). Applicants are also advised to retain the return receipt in

<http://www.uspto.gov/september11/faxnotice.htm>

9/16/02

the event that the Office has no record of the facsimil submission, whether the facsimile submission is a reply to an Office action (37 CFR 1.8(b)), or a continued prosecution application under 37 CFR 1.53(d)) (37 CFR 1.6(f)).

However, the Office currently does not permit new application filings (other than a CPA under 37 CFR 1.53(d)), requests for reexamination, drawings, and certain correspondence set forth in 37 CFR 1.6(d) by facsimile. Applicants, however, are encouraged to file certain applications via the Patent Electronic Filing System. Please refer to our Web Site, at <http://www.uspto.gov/ebs/efs/index.html> for information regarding our Electronic Filing System and how to use it.

In addition to these methods of communication, the Office is currently reviewing other electronic communication means and will update this site with information as these options are implemented.

DATE: 11/02/2001

Original Signed /s/  
Nicholas P. Godici  
Acting Under Secretary of Commerce for  
Intellectual Property and  
Acting Director of the United States Patent  
and Trademark Office

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Last Modified: 11/08/2001 14:58:25